

**James Madison to John M. Patton, March 24, 1834.
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TO JOHN M. PATTON. MAD. MSS. (*Confidential*)

March 24, 1834.

Dear Sir, —I have duly recd. the copy of your speech on the “Virginia Resolutions.” Tho' not permitting myself to enter into a discussion of the several topics embraced by them, for which indeed my present condition would unfit me, I will not deny myself the pleasure, of saying that you have done great justice to your views of them. I must say at the same time that the warmth of your feelings has done infinitely more than justice to any merits that can be claimed for your friend.

Should the controversy on removals from office, end in the establishment of a share in the power, as claimed for the Senate, it would materially vary the relations among the component parts of the Govt. and disturb the operation of the checks & balances as now understood to exist. If the right of the Senate be, or be made a constitutional one, it will enable that branch of the Govt. to force on the Executive Department a continuance in office, even of the Cabinet officers, notwithstanding a change from a personal & political harmony with the President, to a state of open hostility towards him. If the right of the Senate be made to depend on the Legislature, it would still be *grantable* in that extent; and even with the exception of the Heads of Departments and a few other officers, the augmentation of the Senatorial patronage, and the new relation between the Senate directly, and the Legislature indirectly, with the Chief Magistrate, would be felt deeply in

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the general administration of the Government. The innovation, however modified would more than double the danger of throwing the Executive machinery out of gear, and thus arresting the march of the Govt. altogether.

The Legislative power is of an elastic & Protean Character,

but too imperfectly susceptible of definitions & landmarks. In its application to tenures of office, a law passed a few years ago, declaring a large class of offices, vacant at the end of every four years and of course to be filled by new appointments. Was not this as much a removal as if made individually & in detail? The limitation might have been 3, 2, or 1 year; or even from session to session of Congs, which would have been equivalent to a tenure at the pleasure of the Senate.

The light in which the large States would regard any innovation increasing the weight of the Senate, constructed and endowed as it is may be inferred from the difficulty of reconciling them to that part of the Constitution when it was adopted.

The Constitution of the U. S. may doubtless disclose from time to time faults which call for the pruning or the ingrafting hand. But remedies ought to be applied not in the paroxysms of party & popular excitements: but with the more leisure & reflection, as the Great Departments of Power according to experience may be successively and alternately in, and out of public favour; and as changes hastily accommodated to these vicissitudes would destroy the symmetry & the stability aimed at in our political system. I am making observations however very superfluous when addressed to you, and I quit them with a tender of the cordial regards & salutations wch. I pray you to accept.